



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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March 11, 2005

To Members of the Groundwater Advisory Committee:

As the agency that will staff the Groundwater Advisory Committee, I am providing an initial scoping statement. The sponsors of this historic legislation, along with the Governor have stated that this legislation is a very important and necessary "first step". That first step was taken when the Legislature passed this legislation and the Governor signed it into law on Earth Day, 2004.

There are many important steps to take to fully protect groundwater quantity. This committee is a critical piece. It is your job to make sure we keep taking steps forward and in the correct direction. It is your job to assure that we can adapt our management, as new and better information becomes available. I have worked with the Governor's office as well as former Representative Johnsrud and Senator Kedzie to develop some more of the details of the "charge" to this committee. The following is how we see the committee operating once appropriations are approved.

We ask you to address two different, yet broad scopes of responsibility. We have identified them below as "charges". In the first charge, you will provide recommendations on how we should manage areas of the state that have existing groundwater quantity problems. These are called Groundwater Management Areas (GMAs). There are specific tasks for you to accomplish as you address GMAs; however, the issues potentially included in those tasks are quite broad. For the second charge you will provide a "report card" of sorts. Your report will tell us how we are doing in Groundwater Protection Areas (GPAs), along with finalizing several other issues.

First Charge

By December 31, 2006, report to the legislature's environmental standing committees on:

- A. recommendations for legislation and for administrative rules to implement the legislation, covering the following areas:
 1. groundwater management areas (GMAs) as created by the act,
 2. other areas of the state in which the withdrawal of groundwater over the long term adversely affects the availability of water for use, adversely affects water quality; or has a significant adverse environmental impact
- B. recommendations for:
 1. a coordinated strategy for addressing groundwater management issues by affected local governmental units and regional planning commissions,
 2. a mitigation program for GMAs, including Best Management Practices, water conservation measures and other holistic processes
 3. whether other areas of the state should be designated as GMAs,
 4. how and when to remove the GMA designation from an area.

Second Charge

By December 31, 2007, report to the legislature's environmental standing committees on recommendations for how the scope of the law has worked in several areas including:

- A. for high capacity wells that are:
 - 1. in groundwater protection areas (GPAs)
 - 2. that have a water loss of 95 percent or more, or,
 - 3. have a significant environmental impact on a spring;
- B. regarding the definition of spring, specifically, is the 1 CFS threshold the right threshold;
- C. for management strategies that permit adaptation of the regulation of high capacity wells as relevant information becomes available or groundwater conditions change;
- D. the potential use of general permits for high capacity wells;
- E. factors the department should consider in rules used to determine whether a high capacity well causes a significant environmental impact.

A report regarding the committee's first charge must be issued no later than January 1, 2007. If the committee does not meet that deadline, the law directs the department to promulgate rules using its authority to address the management of groundwater in groundwater management areas.

As I mentioned before, the tasks are specific, but the possible solutions will require multiple considerations. As examples, you will be expected to consider:

- water conservation,
- gray water reuse;
- dual systems,
- cumulative impacts of low capacity wells at high densities,
- adequacy of fees in GMAs and GPAs,
- and mitigation sunsets.

This is what we are charging you with but additional challenges are certain to emerge. We urge you to address each new issue and when your task has been completed, the next step will have been taken to protect Wisconsin's vital groundwater.

As this legislation was developed, one of the many strengths of the process was that scientists advised the subcommittee. Your committee will also have a science advisory panel to which you may refer technical issues. Representatives from organizations such as the Wisconsin Geologic and Natural History Survey, the United States Geological Survey, the University System and the Watershed Center in Stevens Point will be asked to serve. We thank you for your willingness to serve and look forward to the work that is ahead of all of us.

The legislation specifically states that the committee will terminate on December 31, 2007.

Sincerely,

Scott Hassett
Secretary

cc: Senator Neal Kedzie
Pat Henderson

Representative Scott Gunderson
Todd Ambs